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SUMTER, S. C., WEDNESDAY, JUNE 11, 1902.

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Obituaries and tributes of respects will be

LEE COUNTY IN THE SUPREME COURT.

The Grounds Upon Which the Petition and Rule Against Lee County are Based. Columbia, June 6.—The fight against the formation of Lee County is now on in carnest. The following is the full text of the papers filed in the case before the Supreme Court and the temporary injunction issued by that

The State of South Carolina; in the Supreme Court, April Term, 1902: William W. Fraser, Henry Y. Du-Bose, W. Edward Dick, Thomas D. DuBose, Thomas M. Bradley, James M. Ross, Sydney D. Hurst,

J. L. Gillis, Joseph D. Clark, Edward J. Goodman, Samuel T. Gardner, W. L. Clyburn and Thomas J. McCutchen, Petitioners, Against W. A. James, J. E. McCutchen, W.

R. Shaw, Edwin Wilson, W. M. Kelly, A. E. Skinner, A. M. Lee, A. Johnson and John F. Matthews. as Commissioners of Lee County, Respondents.

To the Honorable, the Chief Justice and Associate Justices of the Supreme Court of South Carolina: The plaintiffs above named, who

bring this action as well for themselves as for all others, citizens of the territory embraced within the boundaries of the so called County of Lee, as may come in and contribute to the expenses of this action, petition and

1. That a petition signed by sundry citizens of Sumter, Kershaw and Darlington Counties was filed in September last with the Governor of South Carolina, praying the creation of a new county, setting forth the motes and boundaries of the proposed new county, and that the acreage, number of inhabitants and value of property, as assessed for taxation, in both new and old counties-and distance of new county line from the Court Houses of the said three old counties, were such as would permit the creation of such new county under the requirements and restrictions of the Constitution of South Carolina of 1895. .

2. That petitioners are advised that no such petition would authorize the creation of a new county nor an election therefor unless the petition therefor was signed by one-third of the qualified electors of each section of the proposed new county, and that "each section," as used in the Constitution and Statute means each township, school district or other then existing territorial division; and petitioners have been informed and believe that said petition was not signed by one-third of each township, school district or other territorial division then existing within the limits of the said proposed new county.

3. On information and belief, that no survey, nor lawful setting forth of the actual boundaries of the new coun ty was made prior to the filing of said petition and to the election ordered and held thereunder.

4. That no portion of Rafting Creek Township was included in the boundaries as described in said petition and in the proclamation of the Governor ordering an election as prayed for in said petition.

5. On information and belief, that the area, population, and assessed valuation of property in the proposed new county and in the said three old | buildings, if then completed, and counties, were not accurately ascer- also all bonds, obligations, land or tained, but were estimated by mere money in their hands and belonging

6. That the Court House building their powers and duties shall cease, of Sumter County is less than eight and the county board of commismiles from the boundary line of the sioners or such other officers as shall said proposed new county.

7. That pursuant to the prayer of of said Commissioners."

The Collaichman and Southron, said petition, the Governor of the said Lee county, county officers for new county on the 22nd day of Octo-ber, 1901, and said election was then urer, auditor, supervisor, commisand there held, but because there was no survey and designation of the be required; additional buildings, boundary lines prior to said election, such as court house, jail and poor it was impossible for, the managers house, must be erected; terms of always to tell with accuracy which court must be held, and jurous therevoters in the vicinity of said boun-daries were within and which with-of registration transcribed, and an out the limits of the proposed new adjustment of indebtedness between

8. That the managers and county election commissioners declared as a result of said election that two-

said petition to the Governor.

mentioned election was certified in election for said three old counties to the county seat. the Secretary of State, and by him bly at its next session-all of which taxpayers of the territory emproceedings were conformable to braced within the said

11. That the General Assembly at was entitled "An act to establish Lee County," and said act was duly approved by the Governor on the 25th day of February, 1902. The said act establish the said County of Lee, designating the same boundaries as are for the election of county officers and others at the general election in Congressional District, and making other provisions for the full operation of a county government. But said act provides for the inclusion of a portion of Rafting Creek Township. Township was included in the boundaries named in said petition.

12. The said act also directs the respondents to this petition, as Commissioners of Lee County, "to have the boundaries of said new county marked as now surveyed," whereas | Court House building. the boundaries as then surveyed were different from the boundaries as named in the petition and in section 1 of said act, in the following particulars: (1) The corner in Bradley's field near Kershaw County line," as called for by the petition and the act, has been disregarded, and the line run a mile or more beyond into Rafting Creek Township. (2) The line of "Scape O'er Swamp" as called for by the petition and act. has been changed, and moved a half mile away from said swamp and | Court: further from the Court House Building of Sumter County.

the following provisions: "Sec. 2. That W. A. James, J. E. McCutchen, W. R. Shaw, Edwin Wilson, W. M. Kelly, A. E. Skinner, A. M. Lee, A. Johnson and John F. Matthews are hereby appointed Commissioners of their successors in office are hereby authorized to have the boundaries of said new county marked as now surveyed, and to provide a court house and jail by the erection of suitable buildings at the county seat, and to receive and accept in the name and for the new County of Lee, any bonds, money, land or other gifts donated or hereafter given to have erected the said public buildings: Provided, That when the County Supervisor for said county is elected and qualified and county commissioners are appointed and qualified, or such county officers as shall then be elected by law with the authority now exercised by said supervisors and commissioners or a board of commissioners, the above named commissioners shall then turn over to the county board of commissioners or such officers as are then exercising their authority, all the public to the said County of Lee, and then succeed to all the rights and powers

within the limits of the said proposed such new county, including clerk of sioners of election and others, will over and above what would be re-

lines to be made and in such survey act, would be a charge upon all of house. He also told of a number of have changed the lines named in the the taxable property of said Lee county, to wit: to have the bounda-10. That the result of said last ries of said new county marked as planned. now surveyed, and to erect suitable legal form by the commissioners of | buildings for court house and jail at |

16. That your petitioners are citiwas submitted to the General Assem- zens, electors, free-holders and county, opposed to the creation of said county; and they submit, as a its said session, passed an act, which matter of law, that as such opponents they should make known their opposition and take action to prevent the formation of such new county before the same has been fully estabof Assembly purports to create and lished. And they further submit that the said act of the General Assembly is null and yoid, and the creation set forth in said petition, providing and establishment of Lee county unauthorized and unconstitutional, for the reasons that the said Lee county November next, locating it in the did not certainly receive the favora-Third Circuit and in the Seventh | ble yote of two-thirds of the qualified electors voting in each section of said proposed new county; did not certainly have the necessary population and assessed value of property, nor leave the necessary population and notwithstanding no portion of said assessed value of property in the three old counties from which it was carved; has not the boundaries in the Act that was designated in the petition and should have controlled the election; and has cut the county of Sumter "within eight miles of its

> Wherefore, your petitioners pray that the defendants, as commissioners of Lee county, may be enjoined from doing or performing any act or duty imposed upon them by the terms of the said act of Assembly of 1902. And your petitioners, as in daty bound, will ever pray and so forth.

ROBT. W. SHAND, Attorney for Petitioners.

The following is the Order of the

"On hearing the petition in the above stated case, dated and verified 13. That the said act also contains | 31st of May, 1902, and on motion of R. W. Shand, attorney for petitioners, it is ordered that the defendants above named show cause before this Court why the injunction prayed for in the petition should not be granted, and that they serve a copy of their said County of Lee, and they and return to this rule on the attorney for petitioners within twenty days after service upon them. Let the petition be filed with the Clerk of this Court and a copy of said petition and of this order be served within seven days from this date, 2nd June, 1902. Y. J. POPE,

Senior Associate Justice Presiding.

A Gentle Hint.

In our style of climate, with its sudden changes of temperature,-rain, wind and sunshine often intermingled in a single day,-it is no wonder that our children, friends and relatives are so frequently taken from us by neglected colds, half the deaths resulting directly from this cause. A bottle of Boschee's German Syrup kept about your home for immediate use will prevent serious sickness, a large doctor's bill, and perhaps death, by the use of three or four doses. For curing Consumption, Hemorrhages, Pneumonia, Severe Coughs,

Osteen & Co.

THEY DIDN'T BURN HIM.

Body to Telegraph Pole.

was court house, jail and poor house, must be erected; terms of court must be held, and jurous therefor summoned and empanelled, books of registration transcribed, and an adjustment of indebtedness between the new county and the old counties made—all or some of which will involve an expenditure of money over and above what would be rea result of said election that twothirds of the ballots cast separately
in each of the Counties of Kershaw,
Darlington and Sumter had voted
"yes" on the creation of the county,
and in favor of "Lee" as its name
and "Bishopville" as its county seat.

3. That after said election had been
held and before the passage of the Act
of the legislature hereinafter mention
ed, the friends of the said Lee County
of money, which, under the said
the new county of money, which, under the said
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the place at the time of the crime he offered to tell them all about it if they
of the place at the time of the crime he offered to tell them all about it if they
would not burn him. They promised.
He then said that he himself had killord Mrs. Jones and threw her in the
goat house, while Cain Ford, Ned
pointed by the said Act of Assembly
of the legislature hereinafter mention
ed, the friends of the said Lee County
the pended must be raised, and each class is two month in
advance of what has been accomplisaoffered to tell them all about it if they
would not burn him. They promised.
He then said that he himself had killord Mrs. Jones and threw her in the
goat house, while Cain Ford, Ned
Pryor and a negro whose name could
not be learned do the crime he
de heretofore in the same class. Until
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Pryor and a negro whose name could
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ed, the friends of the said Lee County
when Margance of what has been accomplishoffered to tell them all about it if they
would not burn him. They promised.
He then said that he himself had killord Mrs. Jones and threw her in the
pointed by the said Act of Assembly
ord Mrs. Jones and threw her in the
pointed by the said other robberies that had been committed and a number they had

He was shot to death, after which they hung his body to a telegraph pole by nailing his hands with a railroad spike. A placard was then placed on

Cain Ford is here in jail. Ned Pryor was killed some time ago while attempting to escape. There are two reports as to the other negro implicated; one is that he was found dead in the swamp about two weeks ago and the other is that he lives several miles from Ravenel and that the mob is now in search of him.

Women Show Their Scorn.

Worcester, Mass., June 6.-One of the most sensational scenes ever witnessed in a church in this city was enacted at St. John's Roman Catholic Church yesterday, when Mary E. Donaher, a teacher in the public schools of Worcester, was married to Dr. Maurice W. Quinn, a dentist, of Brocton. As the wedding party entered the church it was met by hisses from 1,000 women, who had apparently gathered for that particular prupose. A detail of police was present to protect the bride and groom, but they were entirely powerless to maintain order. The women rushed by and around them, close to the wedding party, and gave vent to their feelings in no uncertain manner.

The demonstration grew out of the attempted shooting of Dr. Quinn several days ago by Miss Bertha Condon, of this city, who asserted Quinn had betrayed her under promise of mar-

An Historic Trowel.

The trowel used in laying the cornerstone of the Central Presbyterian Church Monday is an object of great interest and veneration, esepcially to

It is of sterling silver, with an ivory handle, and was first used by the Marquis Lafayette in laying the cornerstone of the monument to the Baron De Kalb in 1825. It was made especially for that occasion, and was for many years in the possession of private persons at Camden, but eventually passed into the hands of the grand lodge of Masons in this State. The Marquis Lafayette was an eminent Mason, and on the occasion of his visit to America in 1825 he made a special visit for the purpose of officiating at the laying of the cornerstone of the monument to the memory of his friend and companion in arms, Baron De Kalb.

The Lafayette trowel is one of the most highly prized relics in the possession of the grand lodge. -Anderson

A Real Friend.

"I suffered from dyspepsia and indigestion for fifteen years," says W. T. Sturde-vant, of Merry Oaks, N. C. "After I had try Kodol. It gave immediate relief. I Croup, or any disease of the Throat or can eat almost anything I want now and Balm for a few days my wife said to me, Lungs, its success is simply wonderful as your druggist will tell you. Get a sample mend Kodol." Don't try to cure stomach using the entire contents of the bottle the bottle from DeLorme's Pharmacy or trouble by dieting. That only further unbearable pains had entirely vanished and Sumter Pharmacy. Regular size, 75 cts. Get Green's Special Almanac.

Weakens the system. You need wholesome, strengthening food. Kodol enables you to assimilate what you eat by digesting it that all suffering likewise will hear of her Flower baskets to suit all. H. G. without the stomach's aid. J. S. Hughson wonderful recovery. This valuable lini-

THE PRIDE OF THE STATE.

But Shot Him to Death and Nailed Session of the Citadel Academy Drawing to a Close.

been identified as the one seen near raised, and each class is two month in

Hibernian Hall on the evening of the 27th. On the 30th academic commencement exercises will take place. At that time thirty-eight more young men will hold diplomas from an institution of which the United States Adjutant and Inspector General, in national flower. his report to the War Department after an inspection, said: "It is second to none, and is so superior that it must be classed alone." It is expected that, in addition to their deplomas, seven of the graduates will receive the degree of Bachelor of Science. An average of 85 per cent. or more on the studies of the four years' course is required in order to confer this degree upon grad-

The battalion spent the afternoon and evening of the closing day of the Exposition at the grounds. There was a large crowd present. The Midway was especially lively after dark. Prominent among the features of the day was a sham battle between the Third regiment, on one side, and the United States marines, the cadets of the South Carolina Military Academy, and the cadets of the Porter Military Academy on the other. After the battle regimental parade was held.

The Citadel is an institution for the education and training of the young men of our State, and, accepting the statement of those who have watched its progress, it has admirably done its work. The beneficiary cadets, which compose about half the corps, are sixty-eight in number. However, there is no distinction made between beneficiary and pay cadets. Few people have any esimate of the course of training and the curriculum which this institution affords, aside from the military training, which is complete in every detail.

Cuba Will be Short Lived.

Washington, June 4.-Mr. John G. Carlisle, of New York, is in the city, on important legal business. Mr. Carlisle has recently returned from Cuba. While there he met a number of the best and most intelligent class of people who reside in that country. They were nearly unanimous in their opinion that Cuba as a republic would not last. Some thought that it would hold together for six months, and others for a year, but few, if any, believed that it would last longer than a year or so. It was generally conceded that the United States would take Cuba under its protecting wing by annexation inside of two years, and the wealthy and business interests of the country regarded it as a "consummation devoutly to be wished."

Read It in His Newspaper.

George Schaub, a well known German citizen of New Lebanon, Ohio, is a constant reader of the Dayton Volkszeitung. He knows that this paper aims to advertise only the best in its columns, and when he saw Chamberlain's Pain Balm advertised therein for lame back, he did not hesitate in buying a bottle of it for his wife, who tried many doctors and medicines to no for eight weeks had suffered with the most avail one of my friends persuaded me to terrible pains in her back and could get no relief. He says: "After using the Pain ment is for sale by Dr. A. J. China.

THE FLOWERS OF THE STATES.

Emblems That Have Been Chosen in Twenty Commonwealths.

ed at Ardmore Pa, in December, 1886

literary societies will be held in the flower, believing that the States would better first awaken local interests by selecting State emblems. Twenty States have already performed this office. With the Louisiana Purchase Exposition before us, such a congress is being planned for decision as to the

> Miss Helena Richardson, State councillor on publication, who has corresponded with the governors of various States in regard to the floral emblems, gave brief extracts from their replies, showing choice of State flowers as follows:

> Colorado, blue and white columbine, chosen in 1899; Delaware, peach blossom, chosen many years ago; Maine, pine cone and tassel; Michigan, apple bossoms, 1897; Montana, bitter root, 1895; Nebraska, goldenrod, 1895; Oklahoma, mistletoe, 1893; Oregon, grape, 1899; Utah, sago lily, 1892: Vermont, clover, 1894; Californa, poppy; Georga, Cherokee rose; Idaho, syrigna; Kansas, sunflower; Minnesota, moccasin flower; Nevada, sage brush; Washington State, rhododendron: Arkansas, cactus, and New Hampshire, oak branch and acorn.

Happy Time in Old Town.

"We felt very happy," writes R. N. Bevill, Old Town, Va., "when Bucklen's Arnica Salve wholly cured our daughter of a bad case of scald head." It delights all who use it for Cuts, Corns, Burns, Bruises, Boils, Ulcers, Eruptions. Infallible for Piles. Only 25c at J. F. W. DeLorme's drug store.

Shoots Twenty-one Miles.

Arrangements are being made at Fort Hamilton, New York harbor, for mounting the new 16-inch gun which has been in course of construction at the Watervliet Arsenal for the past four years. The gun will be placed at the fort as soon as it has been officially tested at the Sandy Hook proving grounds. The test is awaited eagerly by all the gun makers of the world. It is claimed the gun will hurl a shell twenty-one miles. In order to discharge the gun it will require 1,000 pounds of powder and a 3,000 pound projectile. The weight of the gun is

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